

PUBLIC MEETING
June 22, 2010
MINUTES

Vice-Chair Derek Brown called the meeting to Order at 9 a.m.

Commissioner Andy Hunthausen was present. Commissioner Mike Murray was absent on personal leave. Others attending all or a portion of the meeting included Kelly Blake, Eric Bryson, Nancy Everson, Heidi Heiser, Audra Zacherl, Katie Jerstad, Misty Edwards Christal Ness, Jim Wilbur, Mark Simonich, Carol Hollow, Jack Walsh, and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

- a. Resolution 2010-214 Ordering a Refund of Taxes/Fees/Assessments Paid by John J. Johnson and Shawnee L. Farnham in the Amount of \$591.26. (Cheryl Green)
- b. Independent Contractor Contract Between Lewis and Clark County, Cooney Home and Lisa King, Registered Dietitian, to Provide Dietitian Services for the Residents of Cooney Home in the Amount of \$1,000 per Month. (Heidi Heiser)
- c. Extension of Amended Professional Services Contract Between Lewis & Clark County and Stahly Engineering & Assoc. for East Helena School Sidewalks. (Rebecca Shaw)
- d. Contract Between Lewis and Clark County Water Quality Protection District and Montana Dept. of Environmental Quality for the Transfer of Funding Through the Clean Water Act Section 319 Grant to Implement a Helena Area Ground Water Project Phase II in the Amount of \$95,000. (James Wilbur)
- e. Resolution 2010-215 Authorizing Participation in the Board of Investments of the State of Montana Annual Adjustable Rate Tender Option Municipal Finance Consolidation Act Bonds (INTERCAP Revolving Program), Approving the Form and Terms of the Loan Agreement and Authorizing the Execution and Deliver of Documents Related Thereto, for 2nd Floor Remodel, City-County Building, in the Amount of \$505,000.00. (Nancy Everson)

Eric Bryson reported on the consent action items and recommended approval.

No public comments were received.

Commissioner Hunthausen moved approval of the consent action items and authorized the Chair to sign. Commissioner Brown seconded the motion. The motion carried 2-0.

Public Hearing. Resolution 2010-211 – A Resolution to Establish the Lewis and Clark County Landfill Tipping Fee Rates Beginning July 1, 2010. (Audra Zacherl)

Audra Zacherl reported that the Treasurer/Clerk and Recorder's Office received no written public comments by the established deadline. The Scratch Gravel Solid Waste District Board approved the proposed \$2 increase in the Class II, Municipal Solid Waste

Tipping Fee from \$27.25 to \$29.25, and the \$1 increase in the Class IV, Construction and Demolition Tipping Fee from \$22 to \$23. These increases were necessary to fund current and future capital purchases and the construction and closure of future landfill phases under the vertical expansion plan and to cover the increasing costs to maintain and operate the county's Landfill. Staff recommended that the board approve the resolution.

Public Hearing - No public comments were received.

Commissioner Hunthausen moved to approve the resolution and authorized the Chair to sign. Commissioner Brown seconded the motion. The motion carried 2-0.

Public Hearing. Resolution 2010-212 – A Resolution to Increase the Solid Waste Disposal Fee Established by the Scratch Gravel Solid Waste District, Beginning July 1, 2010. (Audra Zacherl)

Audra Zacherl reported that the Treasurer/Clerk and Recorder's Office received no written public comments by the established deadline. The Scratch Gravel Solid Waste District Board approved the proposed \$8 increase in the assessment rate from \$72 per year to \$80 per year. This increase was necessary to cover the rising costs associated with solid waste disposal for Scratch Gravel residents such as the increase in the Landfill tipping fee and the City of Helena Transfer Station tipping fee increase. Staff recommended that the board approve the resolution.

Public Hearing - No public comments were received.

Commissioner Hunthausen moved to approve the resolution and authorized the Chair to sign. Commissioner Brown seconded the motion. The motion carried 2-0.

Public Hearing. Resolution 2010-213 – A Resolution to Increase the Solid Waste Disposal Fee as Established by the Lincoln Solid Waste District, Beginning July 1, 2010. (Misty Edwards)

Misty Edwards reported that the Treasurer/Clerk and Recorder's Office received one written public comment by the established deadline. The Lincoln Solid Waste District Board approved the proposed \$15 increase in the annual assessment rate from \$96 per year to \$110 per year. This increase was necessary to cover the rising cost associated with solid waste disposal for Lincoln residents. Staff recommended that the board approve the resolution.

Public Hearing - No other public comments were received.

Commissioner Hunthausen moved to approve the resolution and authorized the Chair to sign. Commissioner Brown seconded the motion. The motion carried 2-0.

Request for Final Plat Approval for the Amended Plat of Tract 5-C-D – Lamb Ranchettes. (Applicant: Carol Hollow) (Planner: Michele Peterson). This subdivision created two lots for single-family dwelling.

Kelly Blake reported that the applicant has met all of the conditions of approval. Staff recommended approval of the final plat.

No public comments were received.

Commissioner Hunthausen moved approval of the final plat and authorized the Chair to sign. The motion carried 2-0.

Contract and Encroachment Agreement Between Lewis & Clark County and Carol Hollow. Septic tank encroaching in the easement created upon the platting of the Amended Plat of Tract 5CD, Lamb Ranchettes, also known as 3505 Juniper Drive, Helena, MT. (Christal Ness, Permit Coordinator)

Kelly Blake reported that the septic tank was located within the 20-foot utility easement on the parcel.

Deputy County Attorney Katie Jerstad recommended that the county remove any references to installation of septic systems because this septic system was already existing and already in the easement.

Staff recommended approval of the Encroachment Agreement as modified.

No public comments were received.

Commissioner Hunthausen moved to approve the amended Contract and Encroachment Agreement and authorized the Chair to sign. Commissioner Brown seconded the motion. The motion carried 2-0.

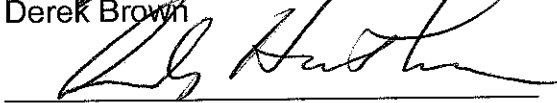
Public comments on any public matter within the jurisdiction of the Commission that is not on the agenda above. None.

There was no other business, the meeting adjourned at 9:18 a.m.

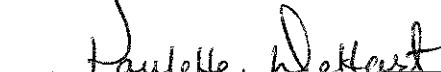
LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Michael A. Murray, Chairman


Derek Brown


Andy Hunthausen

ATTEST:


Paulette DeHart, Clerk of the Board